

**IN THE UNITED STATES DISTRICT COURT  
OF THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

<b>EDWARD BUTOWSKY</b>	§	
	§	
<b>V.</b>	§	<b>Civil Action No. 4:18CV442</b>
	§	<b>Judge Mazzant/Magistrate Judge Craven</b>
<b>DAVID FOLKENFLIK, ET AL.</b>	§	

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. On September 1, 2020, the Magistrate Judge issued a Report and Recommendation on Defendants’ Rule 11 Motion for Sanctions and Order on Plaintiff’s Motion for Leave to File (“Report and Recommendation”), recommending Defendants’ Motion for Sanctions Pursuant to Rule 11 for Violations Committed by Plaintiff and His Counsel (Dkt. #96) be **DENIED**. The Magistrate Judge also granted Plaintiff’s Motion for Leave to File Third Amended Complaint (Dkt. #98).

As noted in the Report and Recommendation, failure to file written objections to the proposed findings and recommendations contained in the Report within fourteen days after service bars an aggrieved party from *de novo* review by the district court of those proposed findings and recommendations and from appellate review of factual findings accepted or adopted by the district court except on grounds of plain error or manifest injustice. Dkt. # 201 at pp. 52-53. Additionally, in a September 10, 2020 Order staying these proceedings for forty-five days with four exceptions, the Magistrate Judge specifically advised the parties that any objections to the Report and Recommendation were to be filed on or before September 15, 2020. Dkt. #205 at p. 2.

To date, no objections have been filed to the 53-page Report and Recommendation. Even so,

the Court has carefully reviewed the Report and Recommendation and hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court. Accordingly, it is

**ORDERED** that Defendants' Motion for Sanctions Pursuant to Rule 11 for Violations Committed by Plaintiff and His Counsel (Dkt. #96) is **DENIED**.

**SIGNED this 21st day of September, 2020.**

  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE